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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,121	08/15/2001	Toyoaki Kishimoto	212668US6	1335

22850 7590 02/08/2008
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

TESLOVICH, TAMARA

ART UNIT	PAPER NUMBER
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2137

NOTIFICATION DATE	DELIVERY MODE
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02/08/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.		Applicant(s)	
	09/929,121		KISHIMOTO, TOYOAKI	
	Examiner		Art Unit	
	Tamara Teslovich		2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to Applicant's Remarks and Amendments filed November 23, 2007.

Claim 2 remains cancelled.

Claims 1 and 9 are amended.

Claim 13 is newly added.

Claims 1 and 3-13 are pending and herein considered.

Response to Arguments

Applicant's arguments with respect to claims 1 and 3-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,248,946 to Norman Dwek and further in view of US Patent Application Publication 2002/0032027 A1 to Kirani .

Regarding **Claim 1**, Dwek teaches a user authentication method for an authentication server which executes user authentication between a information terminal and a content providing server interconnected by an open network, comprising the steps of:

registering, from the information terminal, unique identification information with a customer database of said authentication server in advance, wherein said unique identification information is stored in said information terminal (col.4 lines 31-43);

presenting, to said mobile information terminal, a recommended menu including a plurality of official site access information for accessing predetermined content providing servers, respectively (col.4 lines 26-30 and 43-67; col.10 lines 4-24)

receiving, from said information terminal, the unique identification information and a request for registering one of said official site access information for accessing said content providing server with a personal menu via the open network (col.9 lines 31-45; col.10 lines 21-47 and 60-67);

determining whether said unique identification information received from said information terminal is registered with said customer database (col.12 lines 15-21; col.15 lines 34-40);

sending a notification to said content providing server by which said requested site is produced, that starting of service provision for said information terminal be

permitted, if the unique identification information is found registered with said customer database in the determining step (col.12 lines 15-21; col.15 lines 34-40);

registering said requested official site access information with said personal menu after receiving an acknowledgement response of said notification from said content providing server (col.10 lines 13-67); and

notifying, to said information terminal, a completion of said registration (col.10 lines 35-51);

wherein a process in which site access information selected by a user of said information terminal from said recommended menu displayed on said information terminal is registered with said customer database in relation with the unique identification information of said information terminal is included in the registering step (col.9 lines 31-45; col.10 lines 35-51; col.11 lines 5-16).

Dwek fails to teach the abovementioned system wherein the information terminal is a "mobile information terminal" and wherein "said unique identification information is stored in said mobile information terminal and comprises information identifying a manufacturer of the mobile information terminal".

Kirani teaches a media spooler system and methodology providing efficient transmission of media content between wireless devices and other wireless devices or servers (Abstract). Kirani's system includes a plurality of wireless devices attempting to communicate with target hosts or servers and a media spooler/gateway acting as a gateway between the devices and the servers. Each of Kirani's wireless devices

includes its own identification code (par 95), including but not limited to an international mobile equipment ID assigned by and specific to the phone manufacturer (Table 5).

It would have been obvious to a person of average skill in the area at the time of the invention to include within Dwek the wireless capabilities and mobile identifier as described in Kirani in order to provide for users connected to the Internet and other media and document servers via mobile information terminals such as cellular phones and other handheld devices in a secure manner.

Regarding **Claim 3**, the combined method of Dwek and Kirani teaches the user authentication method according to Claim 2, wherein, in the registering step, when registering said site access information with said customer database, user authentication is performed on the basis of said unique identification information before this registration and said mobile information terminal requested to make display for prompting said user to enter a password of the user, while, if, subsequent to the registration with said customer database, an access request is made on the basis of the site access information already registered with said customer database, the user authentication on the basis of said unique identification information is performed but the request for the display for prompting the user to enter the user's password is omitted (Karani pars 211, 229).

Regarding **Claim 4**, the combined method of Dwek and Kirani teaches the user authentication method according to Claim 3, wherein, in the registering step, a charging server is instructed to charge said user for the use of a service provided by said content providing server associated with said site access information at the time of registering said site access information with said customer database (Dwek col.12 lines 15-21; col.15 lines 35-40).

Regarding **Claim 5**, the combined method of Dwek and Kirani teaches the user authentication method according to Claim 4, wherein, in the registering step, a confirmation step for confirming, before instructing said charging server for the charging, that said user is a registered user of said charging server is included (Dwek col.12 lines 15-21; col.15 lines 35-40).

Regarding **Claim 6**, the combined method of Dwek and Kirani teaches the user authentication method according to claim 1, wherein said open network is the Internet, through which the unique identification information is transmitted as encrypted by the predetermined encryption algorithm by a Web browser installed on said mobile information terminal (Dwek col.5 lines 31-43; Kirani par 222).

Regarding **Claim 7**, the combined method of Dwek and Kirani teaches the user authentication method according to Claim 6, wherein the unique identification

information is read, by said Web browser, from a flash memory (see Kirani pars. 7, 81, 89, 94-96, 134) installed on said mobile information terminal and the retrieved unique identification information is transmitted as encrypted by the predetermined encryption algorithm by said Web browser (Dwek col.5 lines 31-43; Kirani par 222).

Regarding **Claim 8**, the combined method of Dwek and Kirani teaches the user authentication method according to Claim 7, wherein said predetermined encryption algorithm is SSL (Secure Socket Layer) (Kirani par 222).

Regarding **Claim 9**, Levergood et al. teaches a user authentication server which executes user authentication between a information terminal and a content providing server interconnected by an open network, comprising

registering means for registering unique identification information corresponding to the said information terminal received from the information terminal with a customer database of said authentication server in advance, wherein said unique identification information is stored in said information terminal and comprises information related to the information terminal (col.4 lines 31-43);

presenting means for presenting, to said information terminal, a recommended menu including a plurality of official site access information for accessing predetermined content providing servers, respectively (col.4 lines 26-30 and 43-67; col.10 lines 4-24);

receiving means for receiving, from said information terminal, the unique identification information and a request for registering one of said official site access information for accessing said content providing server with a personal menu via the open network (col.9 lines 31-45; col.10 lines 21-47 and 60-67);

determining means for determining whether the unique identification information received from said information terminal is registered with said customer database (col.12 lines 15-21; col.15 lines 34-40);

service permission notice sending means for sending a notification to said content providing server, by which said requested site is produced, that starting of service provision for said information terminal be permitted, if the unique identification information is found registered with said customer database by the determining means (col.12 lines 15-21; col.15 lines 34-40);

registering means for registering the requested official site access information with said personal menu after receiving an acknowledgement response of said notification from said content providing server (col.10 lines 13-67); and

presenting means for presenting, to said information terminal, a completion of said registration (col.10 lines 35-51);

wherein a process in which site access information selected by a user of said information terminal from said recommended menu displayed on said information terminal is registered with said customer database in relation with the unique

identification information of said information terminal (col.9 lines 31-45; col.10 lines 35-51; col.11 lines 5-16).

Dwek fails to teach the abovementioned system wherein the information terminal is a "mobile information terminal" and wherein "said unique identification information is stored in said mobile information terminal and comprises information identifying a manufacturer of the mobile information terminal".

Kirani teaches a media spooler system and methodology providing efficient transmission of media content between wireless devices and other wireless devices or servers (Abstract). Kirani's system includes a plurality of wireless devices attempting to communicate with target hosts or servers and a media spooler/gateway acting as a gateway between the devices and the servers. Each of Kirani's wireless devices includes its own identification code (par 95), including but not limited to an international mobile equipment ID assigned by and specific to the phone manufacturer (Table 5).

It would have been obvious to a person of average skill in the area at the time of the invention to include within Dwek the wireless capabilities and mobile identifier as described in Kirani in order to provide for users connected to the Internet and other media and document servers via mobile information terminals such as cellular phones and other handheld devices in a secure manner.

Regarding **Claim 10**, the combined method of Dwek and Kirani teaches the user authentication server according to Claim 9, wherein said open network is the Internet,

through which the unique identification information is transmitted as encrypted by the predetermined encryption algorithm by a Web browser installed on said mobile information terminal (Dwek col.5 lines 31-43; Kirani par 222).

Regarding **Claim 11**, the combined method of Dwek and Kirani teaches the user authentication server according to claim 10 wherein the unique identification information is read, by said Web browser, from a flash memory (see Kirani pars. 7, 81, 89, 94-96, 134) installed on said mobile information terminal and the retrieved unique identification information is transmitted as encrypted by the predetermined encryption algorithm by said Web browser (Dwek col.5 lines 31-43; Kirani par 222).

Regarding **Claim 12**, the combined method of Dwek and Kirani teaches the user authentication server according to claim 11 wherein said predetermined encryption algorithm is SSL (see Kirani par 222). .

Regarding **Claim 13**, Dwek teaches a user authentication server which executes user authentication between a information terminal and a content providing server interconnected by an open network, comprising:

a registering module configured to register unique identification information corresponding to said information terminal received from the information terminal with a customer database of said authentication server (col.4 lines 31-43);

an interface configured to present, to said information terminal, a recommended menu including a plurality of official site access information for accessing predetermined content providing servers, respectively (col.4 lines 26-30 and 43-67; col.10 lines 4-24);

an interface configured to receive, from said information terminal, the unique identification information and a request for registering one of said official site access information for accessing said content providing server with a personal menu via the open network (col.9 lines 31-45; col.10 lines 21-47 and 60-67);

a determination module configured to determine whether the unique identification information received from said information terminal is registered with said customer database (col.12 lines 15-21; col.15 lines 34-40);

an interface configured to transmit a notification to said content providing server, by which said requested site is produced, that starting of a service provision for said information terminal be permitted, if the unique information is found registered with said customer database by the determination module (col.12 lines 15-21; col.15 lines 34-40);

a registering module configured to register the requested official site access information with said personal menu after receiving an acknowledgement response of said notification from said content providing server (col.10 lines 13-67); and

an interface configured to present, to said information terminal, a completion of said registration (col.10 lines 35-51).

Dwek fails to teach the abovementioned system wherein the information terminal is a "mobile information terminal" and wherein "said unique identification information is

stored in said mobile information terminal and comprises information identifying a manufacturer of the mobile information terminal”.

Kirani teaches a media spooler system and methodology providing efficient transmission of media content between wireless devices and other wireless devices or servers (Abstract). Kirani's system includes a plurality of wireless devices attempting to communicate with target hosts or servers and a media spooler/gateway acting as a gateway between the devices and the servers. Each of Kirani's wireless devices includes its own identification code (par 95), including but not limited to an international mobile equipment ID assigned by and specific to the phone manufacturer (Table 5).

It would have been obvious to a person of average skill in the area at the time of the invention to include within Dwek the wireless capabilities and mobile identifier as described in Kirani in order to provide for users connected to the Internet and other media and document servers via mobile information terminals such as cellular phones and other handheld devices in a secure manner.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara Teslovich whose telephone number is (571) 272-4241. The examiner can normally be reached on Mon-Fri 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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